



Entered on Docket
October 03, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining First Omnibus Objection
Of USACM Trust To Proofs Of Claim
Based Entirely Upon Investment In The
Bundy Canyon (\$5.725 Million) Loan**

Hearing Date: August 30, 2011

Hearing Time: 10:30 a.m.

The Court having considered the "First Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Bundy Canyon (\$5.725 Million) Loan, [DE 8733] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the partial disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to repayment by the

1 borrower or from the collateral securing the Bundy Canyon (\$5.725 Million) Loan; and
2 good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8733] is sustained; and
5 2. The Proofs of Claim listed on **Exhibit A** attached are 80% disallowed and
6 20% allowed.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10
11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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USACM Trust
Bundy Canyon (\$5.725 Million) Loan
Single Loan Claims

Claim	Name	Address	Total Claim Amount Relating to the Bundy Canyon \$5,725,000 Loan	Amount Allowed	Amount Disallowed
10725-00879	Adams, Michael	1730 Winter Moon Ct Reno, NV 89523	50,000.00	10,000.00	40,000.00
10725-02119	Miller, Steve H & Karen L	10954 E. Wildcat Hill Rd. Scottsdale, AZ 85262	128,810.89	25,762.18	103,048.71
10725-01211	Molina, Sergio & Irene Schmucker	Po Box 859 12150 S Dart Rd Molalla, OR 97038-0859	50,000.00	10,000.00	40,000.00
10725-00635	Polacheck Jeweler`S Employee PSP DTD 2/20/73	4719 Commons Way Ste E Calabasas, CA 91302	110,000.00	22,000.00	88,000.00

EXHIBIT A